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CrI.O.P.No.21477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.08.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.21477 of 2025

G.Kuttyraja

... Petitioner/Accused

Vs

State Represented by
The Inspector of Police,
K-10 Police Station,
Koyambedu, Chennai – 600 107.
(Crime No.281 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to release the petitioner on bail in the event of his arrest by the respondent police in Crime No.281 of 2025 on the file of the respondent police.

For petitioner : Mr.V.Janarthanan

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.281 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant purchased TVS XL vehicle from the petitioner's financial institution/TVS company under vehicle loan. He could not pay the EMI properly. Hence the petitioner/Manager of TVS company took away the TVS XL vehicle without the knowledge of the de-facto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioner.



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4.The learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6. Considering the submissions made on either side and the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned V Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** **with two sureties** each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the



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learned Magistrate concerned, failing which, the petition for anticipatory bail

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shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

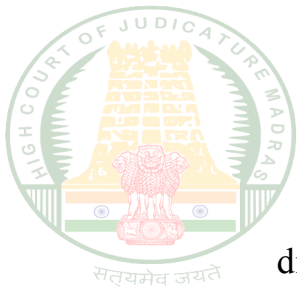
[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter as and when required for further interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by the respondent as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the



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directions as may be given by the Court in this regard;

[g] the petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To:

1.The V Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
K-10 Police Station,
Koyambedu,
Chennai – 600 107.

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

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